



ENVIRONMENTAL & REGULATORY SERVICES DIVISION
PECFA BUREAU
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<http://www.commerce.state.wi.us>
<http://www.wisconsin.gov>

Jim Doyle, Governor
Cory L. Nettles, Secretary

Wisconsin Department of Commerce Bureau of PECFA

Bid Document

SECTION 1 - Scope of Work:

The Bureau of PECFA is seeking competitive bids to perform remedial action services on a petroleum release from a regulated petroleum product storage tank system. This bid is through a specified work scope. The site upon which bids are being solicited is:

Bid Round Number: 31
Comm Number: 54873-9528-45-A
BRRTS Number: 03-04-000836
Site Name: Barnes Automotive
Site Address: HC 61 Box 5045 Barnes WI

Project Manager: Chris Saari
Project Manager address: 2501 Golf Course Rd Ashland, WI 54806
Project Manager phone: 715-685-2920
Project Manager e-mail address christopher.saari@dnr.state.wi.us

Bid Announcement Date	4/19/04
Questions or requests for information must be submitted in writing and received by:	5/3/04 4:00 PM
Responses to the questions will be posted (and if requested, sent in writing) by:	5/21/04
Bid End Date and Time:	6/4/04 by Noon

The case file including report(s) and other pertinent information upon which bids are being sought, and the qualified bid response, when determined, are available for inspection at:

Department of Natural Resources, 2501 Golf Course Rd, Ashland

Please contact the project manager listed above for an appointment.

Copies of report(s) and other pertinent information may be available for purchase at the location listed below. If pertinent information is not available, please contact the project manager.

The Copy Shop, 310 Stuntz Ave, Ashland WI 54806

Phone: 715-682-6567

Fax: 715-682-6551

SECTION 2 – Site-Specific Bid Specification Requirements:

A) Project Manager Comments

1) General Comments:

Please note: Due to the site conditions and the necessity of an appropriate remedial response, the Departments of Natural Resources and Commerce have agreed that a pre-bid meeting/site visit might be a useful component to the bidding process in this case. As a result, the DNR project manager will be available at the site from 1:00 p.m. until 3:00 p.m. on April 28, 2004. Interested consultants are expected to obtain copies of site investigation and remediation documents from The Copy Shop prior to the meeting; copies of this material will not be available at the site. Please note also that no questions will be answered regarding the bid specifications during the meeting. Any questions arising from the meeting will need to be submitted in writing during the specified Question & Answer period (i.e., prior to 4:00 p.m. on May 3, 2004).

This site is a former service station and automotive repair facility. Gasoline and diesel UST systems were removed from the site in December 1994 and the site is currently vacant. The site is located north of a stream connecting Bony and Middle Eau Claire Lakes, the latter of which is designated as an Outstanding Resource Water (ORW) under s. NR 102.10(1m), Wis. Adm. Code. Soil at the site is described as fine to medium sand with some gravel. The depth to groundwater has been measured at 15-20 ft bgs. Regional groundwater flow is to the southwest, but local groundwater flow is to the east-northeast.

Soil contamination in excess of Table 1 values in s. NR 746.06, Wis. Adm. Code, was documented during the site investigation. Free product and significant dissolved phase contamination have been detected at the water table in the area around the former pump island. High concentrations of dissolved phase contaminants have been detected at depth downgradient from the source area, indicating that the plume is diving. Recent groundwater results also indicate that the plume margin is expanding. Drinking water in this area of Bayfield County is supplied by private wells, and several are located downgradient of the site. In August 1998, DNR sampled the well serving the Nieckula residence, approximately 200 ft northeast of the source area, and detected significant petroleum contaminant concentrations. In December 1998, a replacement well was drilled approximately 430 ft northeast of the source area, and to date this replacement well has tested free of petroleum impacts.

This site was sent to bid in Round 16, and a soil vapor extraction system was operated seasonally from May 2002 until November 2003 to address source area contamination. This system reportedly removed 1,728 lb. of total volatile organic compounds (VOC) and 19.51 lb. of benzene. During this time, free product was bailed from MW-7, and periodic groundwater monitoring was also conducted.

However, benzene concentrations in a piezometer (PZ-3) located approximately 20 ft upgradient of the replacement private well have increased from <0.13 µg/L in May 1999 to 2y,900 µg/L in February 2004. PZ-3 is screened from 73-78 ft bgs, while the replacement private well is screened from 96-100 ft bgs. The well construction report from the replacement private well describes a layer of "hardpan" from 83-90 ft bgs. There are at least three additional private wells located downgradient of the Nieckula replacement well. These additional private

wells are scheduled for sampling in late April 2004, and the sample results will be made available to potential bidders if the results are received by DNR in time to be included with the Q&A responses to be posted on May 21, 2004.

2) The following Environmental Factor(s) were identified in the Site Investigation Report for this site:

- ☒ Documented expansion of the plume margin.
- ☒ Verified contaminant concentrations in a private or public potable well that exceeds the preventive action limit established under ch. 160, Stats.
- ☐ Contamination within bedrock or within 1 meter of bedrock.
- ☒ Petroleum product that is not in the dissolved phase is present with a thickness of .01 feet or more, and verified by more than one sampling event.
- ☐ Documented contamination discharges to a surface water or wetland.

3) Minimum Remedial Requirements:

This scope of work shall consist of two phases, additional investigation and remedial action, to be conducted concurrently.

1. Install three additional piezometers to further define the extent of groundwater contamination at depth. The piezometers shall be screened from approximately 73-78 ft bgs, unless the above-mentioned hardpan layer is encountered at a depth less than 78 ft bgs. If the hardpan layer is encountered during drilling, the bottom of the piezometer shall be set at the top of the hardpan layer. Under no circumstances shall these piezometers be installed through the hardpan.
 - The first piezometer shall be installed approximately midway between the Nieckula replacement well and the private well serving the Borck property immediately north of the Nieckula property. The DNR project manager shall approve the location of this piezometer prior to its installation.
 - The second piezometer shall be installed adjacent to the MW-11/PZ-2 well nest.
 - The third piezometer shall be installed adjacent to MW-13.
2. Design and implement a remedial action or actions to:
 - Remediate remaining soil contamination in the source area,
 - Remove free product from MW-7 to the maximum extent practicable in accordance with the requirements of s. NR 708.13, Wis. Adm. Code, and
 - Control the migration of and remediate dissolved phase groundwater contamination in the source area and downgradient under the Nieckula property and beyond. The groundwater remedy shall be designed to be protective of the Nieckula replacement well and the private wells downgradient of the Nieckula property.

The original Nieckula private well was not abandoned after the replacement well was drilled, and the well owner has indicated his willingness to allow this well to be used for remedial purposes. Potential bidders should note that discharge of treated water pumped from this well (or a newly constructed remediation well) to Middle Eau Claire Lake, and possibly to the stream connecting Bony Lake and Middle Eau Claire Lake, would likely require a specific Wisconsin Pollutant Discharge Elimination System (WPDES) permit, rather than a general WPDES permit. The difference in permit requirements would be due to the ORW status of Middle Eau Claire Lake.

The remedial action or actions shall be operated for a period of three years. If during that time it appears that reductions can safely be made to the remedial system operation, the selected consultant must contact the DNR and Commerce to discuss the proposed reductions prior to modifying the scope of work.

During the period of remedial system operation, periodic groundwater monitoring shall be conducted according to the following:

Monitoring Wells	Frequency	Analytical Parameters
MW-1, MW-4, MW-13	Annual	PVOC + Naphthalene, Pb
MW-2, MW-3, MW-5, MW-8, MW-9, MW-10, MW-11, MW-12	Semi-Annual	PVOC + Naphthalene, Pb
MW-6, MW-7, PZ-1, PZ-2, PZ-3, PZ-4, three new piezometers installed as part of this scope of work	Quarterly	PVOC + Naphthalene, Pb
MW-14	Quarterly	Water levels only
Private Wells	Frequency	Analytical Parameters
Nieckula replacement	Monthly	VOC per SDWA
Nieckula rental, Borck, Bjorkman, Zimm, Jim's Bait Shop, Shemwell	Quarterly	VOC per SDWA
Barnes Automotive	Annual	VOC per SDWA

Notes: PVOC = petroleum volatile organic compounds, Pb = lead, VOC = volatile organic compounds (EPA Method 524.2), SDWA = Safe Drinking Water Act.

Private well sampling results shall be presented to the DNR within ten (10) days of receipt of the results, as required by s. NR 716.13(9), Wis. Adm. Code. Water level elevations shall be measured at each monitoring well and piezometer during each sampling event, regardless of whether or not that well will be sampled. Groundwater flow maps shall be prepared specific to each sampling event. As with the remedial system operation above, the DNR would be willing to reduce sampling frequencies and/or analytical parameters for monitoring wells, piezometers or private wells in the future if sampling data supports such a

reduction. Any proposed reductions must be approved by the DNR prior to modifying this portion of the scope of work.

A report or reports documenting the soil and groundwater remedial actions shall be submitted following implementation of those actions. The report(s) shall include updated site maps depicting the locations of the Borck, Bjorkman, Zimm, Jim's Bait Shop and Shemwell private wells and the piezometers installed as part of this work effort. Information concerning the depths and construction of the aforementioned private wells shall also be provided. Subsequent progress reporting shall be performed in accordance with s. NR 724.13(3), Wis. Adm. Code, on a semi-annual basis.

B) Bidder's Strategy for Remedial Action

- 1) Identify the remedial strategy for a specified work scope.
- 2) Specifically describe what element of your proposed strategy will address the environmental factors/risk factors listed above. Also describe how, when, and why it will address them.
- 3) Provide a detailed description of the work to be performed. The description shall provide sufficient detail to establish that the proposed strategy will be successful in achieving a specified work scope identified above.
 - a) The detailed description may include, but is not limited to the following:
 - Technologies
 - Estimated years of operation
 - Estimated tons of soil
 - Approximate geometry/depth of excavation
 - Reporting details
 - Estimated years of monitoring
 - Frequency of sampling/number of wells/parameters
- 4) Specifically describe how you will address off-site contamination, if applicable.
- 5) Specifically describe how you will address any direct contact hazards, if applicable.

SECTION 3 - Conditions of Bid:

The successful bidder will be the entity that complies with all provisions of the bid specification and provides the lowest total cost, excluding interest and claim preparation costs, for the site-specific bid specification requirements described in Section 2. PECFA funding under s. 101.143, Stats., will terminate when the responsible agency determines that institutional controls and notices, if utilized, would achieve a closed remedial status. PECFA funding will terminate regardless of whether the responsible party or other properties accept an institutional control and notices as required under §NR 726 Wis. Admin. Code. In preparing the bid, the bidder must assume compliance with all applicable codes, including but not limited to §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The successful bidder will be determined based upon conformance to and competitiveness under the bid protocol. The first determination will be whether the

bidder has complied with all provisions of the bid. These bids will be considered responsive. From the responsive bids, the lowest total cost bid with an approvable approach to a specified work scope will be determined. Claim preparation costs will not be a part of the cost cap established by this bid. These costs (\$500 maximum per claim submittal) are still eligible for PECFA reimbursement and Commerce encourages timely claim submittals at appropriate milestones. Therefore, bidding consultants should not include claim preparation costs in their bid responses.

The successful bid will be available to be viewed at the location identified in Section 1. If two or more bidders tie in the cost comparison, the bid with the lowest consulting cost will be used as the tiebreaker. All bid documents must be signed and sealed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin Department of Regulation and Licensing.

The Department reserves the right to reject any and all bids that meet any of the following conditions:

- The Department believes the remedial strategy is not appropriate to a specific geologic setting.
- From the standpoint of program operations or regulatory responsibility, the Department determines it is in the best interest of the program to not accept any or all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the Department with jurisdiction (Natural Resources or Commerce).

The name of the successful bidder, bid amount, proposed outcome and supporting documentation will be provided to the site claimant along with instructions to inform the PECFA program in writing of their intent to either:

- Use the lowest identified bidder or
- Use another service provider.

In either case, PECFA reimbursement is capped at the dollar amount of the successful bid.

A successful bid does not mean or guarantee that all costs in a resultant claim are eligible, reasonable, necessary or reimbursable under the PECFA program.

If a bidder fails to comply with a bid provision the bid response will be determined to be non-responsive. If the bid response is responsive, but not the lowest cost service provider with an appropriate approach, it will be determined to be “non-successful.” Non-responsive and non-successful bidders will not be individually informed of their failure to achieve compliance with the bid specifications or to be the lowest bidder.

The successful bidder may be required to provide input to, and attend a meeting with the PECFA program and the claimant to explain the bid and the remedial approach.

Appeals, by bidders, of decisions regarding complying bids or costs are not allowed, as they do not constitute claimant reimbursement decisions under the PECFA program.

In compliance with this invitation to bid and subject to all conditions thereof, the signatory agrees to the following:

- If the signatory's bid is determined to be successful, the signatory must, within 15 days of the Department's notification, contact the claimant and confirm that they will provide the remedial services at the cost described within the Bid Response.
- That for a period of 90 days, starting with the Department's notification to the claimant, the signatory will hold firm their commitment to provide the remedial services and prices set forth in the Bid Response.

Failure to abide with the conditions stated above may result in exclusion from future PECFA Public Bidding events.

Questions, answers and interpretations will be considered an amendment of this solicitation. All answers and interpretations shall be in writing from the Program Manager identified in Section 1 of this solicitation. Neither the program nor the Department shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid Ending Date. After the date by which questions must be submitted by, identified in Section 1, no further questions will be addressed.

A written response will be provided at: <http://www.commerce.state.wi.us/ER/ER-PECFA-SiteBidding.html> (and mailed to all requesters of the bid package who are not able to access the web site, and who therefore request written correspondence from the program contact).

SECTION 4 - Closure Specifications – If Applicable:

A bid submitted must provide the total cost, excluding interest but including all closure costs, for the remediation up to approval as a closed remedial action status identified below:

Unrestricted Closure

Closure with a NR 140 exemption

Closure with GIS Registry*

Closure with deed notice*

Closure with deed restriction*

Closure with NR 720.19 soil standards

Performance based NR 720.19 closure

Closure with site-specific conditions

Closure under NR 726.07

Closure under Comm 46/NR 746

Mass reduction

** **Note:** PECFA funding under s. 101.143, Stats., will terminate when the responsible agency determines that institutional controls and notices, if utilized, would achieve a closed remedial status. PECFA funding will terminate regardless of whether the responsible party or other properties accept an institutional controls and notices as required under NR 726. PECFA eligible costs may include all closure costs, up to approval as a closed remedial action (i.e. monitoring well abandonment) that are otherwise eligible for reimbursement.*

If the PECFA maximum award for the site/occurrence is not believed to be adequate to remediate the site/occurrence to a closed or no further remedial action status, that belief must be specifically noted in the bid and the remedial effort that will be achieved by the bid amount. For the purpose of the competitive bid the contaminant mass is determined to be: **Not Applicable**. The basis for specifying the progress shall be contaminant mass reduction and be based upon the mass reduction at the following points on the site:

Not Applicable

If the site is reasonably expected to exceed its cap under the PECFA program, bidders may propose mass reduction, the lowest bidder will be determined on the basis of a cost per mass reduction ratio. If some bidders propose mass reduction and others propose costs to bring the site to a closed remedial action or no further action status, selection will be from those bidders proposing a closed or no further action result.

SECTION 5 - Instructions to Bidders:

By submission of a bid, bidder agrees that during the period following issuance of this solicitation and prior to notification of successful bidder, bidders shall not discuss the bid or bid process except with the program contact designated in this solicitation. Bidders shall not discuss or attempt to negotiate with the claimant, other potential bidders or program staff any aspects of the bid without prior approval of the Project Manager specified. Infractions will result in rejection of the violator's bid and may also result in disqualification of the individual to provide bids and a formal complaint being lodged with the Department of Regulation and Licensing.

The bid submitted shall address all the site specific bid specification requirements identified in Section 2. The bid shall support in detail the strategy to achieve a specified work scope, or remedial mass reduction goal if applicable. A full remedial action plan is not required as part of the bid submittal. A full remedial action plan may be requested by the program.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Project Manager. If the Project Manager is not able to arrange site access, this fact will not delay the bid process or negate the comparison and potential selection from among the bids that are submitted. All costs associated with a site visit or preparation of a bid will be the responsibility of the bidder.

The Bid Process must conform to the following:

1. If applicable, the closed remedial or no further action status to be achieved must be stated using the options available from the list provided in Section 4.
2. Indicate in the Bid Response a contaminant mass reduction proposal if the PECFA maximum award is not believed to be adequate to remediate the site/occurrence.
3. The Bid Response shall address all the site specific bid specification requirements identified in Section 2 and shall support in sufficient detail and succinctly the remedial strategy.
4. The total cost (in dollars) to accomplish the stated remedial goal, including all fees, reporting cost, pre and post closure costs and costs for establishing restrictions or institutional controls but, excluding claim preparation costs, interest, and investigation costs.
5. The costs specified in #4 shall separately identify consulting (non-commodity) costs.
6. The submittal must include an original and two (2) copies of the Bid Response documents signed and sealed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. Include the appropriate registration number of the professional license.
7. Bids can not be "faxed" directly to the program. Documents received by fax will not be accepted or considered.
8. Bids, amendments thereto or withdrawal requests must be received by the time advertised for bid opening. It is the bidder's sole responsibility to insure that these documents are received by the contact at the time indicated in this solicitation document.
9. All specifications or descriptive papers provided with the bid submission must include the bidder's telephone number and Commerce number thereon. Identify the name of the consulting firm on the 1st Page of the Bid Response.
10. The Commerce Number must be on the outside of the envelope in which the bid is submitted. The Department assumes no responsibility for unmarked or improperly marked envelopes. All envelopes received showing a bid number will be placed directly under locked security until the date and time of opening. Include only one Bid Response (an original and two (2) copies) per envelope.
11. Correction of errors on the bid form: All prices and notations shall be printed in ink, typewritten or computer printed. Errors shall be crossed out, corrections entered and initialed by the person signing the bid. Erasures or use of correction fluid will be cause for rejection. No bid shall be altered or amended after the time specified for the bid end date.
12. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid Ending Date.
13. Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the Department with jurisdiction (Natural Resources or Commerce).

14. From the standpoint of program operations or regulatory responsibility, the Department determines it is in the best interest of the program to not accept any or all bids.
15. If bidders consider the bid response to be proprietary information and exempt from disclosure, each part of the Bid Response must clearly marked *CONFIDENTIAL*. If any part is designated as confidential, there must be attached to that part an explanation of how the information is proprietary. The Department reserves the right to determine whether this information should be exempt from disclosure and no legal action may be brought against the State, Department or its agents for its determination in this regard.
16. The Bid Response must be appropriate to the site geologic setting.
17. Ambiguous bids, which are uncertain as to cost, time or compliance with this solicitation, will be rejected.
18. The Department reserves the right to reject any and all bids, and/or to cancel this solicitation at any time.
19. Each bidder shall fully acquaint itself with conditions relating to the scope and restrictions attending the execution of the work under the conditions of this solicitation. The failure or omission of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
20. All amendments to and interpretations of this solicitation shall be in writing from the Project Manager. Neither the Department nor the program shall be legally bound by any amendment or interpretation that is not in writing.
21. This solicitation is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this solicitation to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The solicitation may or may not be changed but a review of such notification will be made prior to award.

BID RESPONSE
(1st Page)

Department of Commerce PECFA Program

SITE NAME: Barnes Automotive
COMMERCE NUMBER: 54873-9528-45
BRRTS NUMBER: 03-04-000836

Submit Bid To Cathy Voges
Department of Commerce PECFA Program
201 W Washington Ave, Madison WI 53703-2790 or
P.O. Box 8044, Madison WI 53708-8044

Bidder Company: _____
Bidder Address: _____

Telephone () - _____
Number: _____
Fax Number: () - _____
e-mail Address: _____

Bidder: (check one that applies):

_____ Professional Engineer	_____ License #
_____ Professional Geologist	_____ License #
_____ Hydrologist	_____ License #
_____ Soil Scientist	_____ License #

Seal

Signature: _____

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Print Name: _____

Title: _____

Total Bid Cost \$ _____

Total Consulting Cost (subpart of Total Bid) \$ _____

Personal information you provide may be used for secondary purposes [Privacy Law, s. 15.04(1)(m)].

BID RESPONSE

(2nd Page)

Department of Commerce PECFA Program

SITE NAME: Barnes Automotive

COMMERCE NUMBER: 54873-9528-45

BRRTS NUMBER: 03-04-000836

Consulting Firm phone number () ____-____

This response must address all of the site-specific specifications identified in Section 2, and shall support in detail the remedial strategy. Attach additional pages if necessary. *The Commerce Number and Consulting Firm telephone number must be included on all additional pages.*